

UNITED STATES DISTRICT COURT

for the
9TH District of Western
Seattle Division

JOHN DOE

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

DAVID U. PORTNOW

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No. 2:21-cv-00819 RSL

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Defendant No. 3

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

title VII
civil RIGHTS
ACT of 1964
DAVID U. PORTNOW, VIOLATED THE ADA of 1990
title I, title II, Using Retaliation, AND ALSO
Discrimination, Violating protected class, AND
Fixed JOHN DOE FROM Rios cop, AND LABEL

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

1ST AMENDMENT, DAVID U. PORTNOW USED Libel
and slander in email, PHONE TEXTS,
etc, calling JOHN DOE, "Retarded," "CRAZY", etc.

He violated the ADA, when told to stop, David fired John Doe, in Retaliation for John Doe who uses a wheelchair. This violates the EEOC, AND THE ADA of 1990. Violates the First Amendment, Hate Speech,

D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

UNDER title VII of the Civil Rights Act of 1964, Civil Rights Act of 1991, 42 U.S.C. 1981 The Americans with Disabilities Act of 1990, 501 of the Rehabilitation Act of 1973

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur? The events arose from David U. Portnow in Seattle, at Pig Records, 18852 SE 265th St, Covington, WA 98042-8439 in email, texts, phone calls to me and others.

B. What date and approximate time did the events giving rise to your claim(s) occur?

6/11/2021 10:00 A.M. WST

C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

David U. Portnow called me "RETARDED," "CRAZY," AND "HANDICAPPED," AND "SHORT BUS," WHEN I ASKED ABOUT my Royalties as Bassist for RIOT COP, ON THE ALBUM "CHRISTMAS Eve - volume 1," Song #17, "Anthfalala" where I play Bass as "K. Typo" Dave screamed, AND SAID "NO FUCKING CRAZY retarded cripple gets Royalties because you're NOT Alex," He refused to negotiate the contract, AND He's stealing copyrighted material of my Bass playing as "K. Typo." Then he retaliated

AND QUIT ON MY STATUS LOSS OF "THREATS", "HARASSMENT"
AND MADE UP FALSE POLICE CLAIMS TO THE COVINGTON POLICE,
Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner) AND FIRED ME FROM MY
employment, AS BASSIST FOR RIOT COP, AND ALL BECAUSE
IV. Injuries I stood up for myself with A Disability

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

yes, I Filed with THE EEOC # 551-2021-02742
IN THE Seattle field office, I HAVE LOST pay FROM
Mechanical Royalties, for each COPY, Download
at 9.1cent, for every single physical, Digital
transaction THAT occurs as "K.TYPO" Bassist
ON TRACK #17 "Anthfala", Riot cop. AND IN
CD, or VINYL FORM, Streamed, or "ON-DEMAND"
or "BANDCAMP," I'M Kermit TY Poulson

AKA "K.TYPO", playing BASS ON THIS SONG,
FIVE ALSO BEEN FIRED FROM "RIOT COP" BY MY LABEL,

V. Relief AND THIS HAS CAUSED Pain and Suffering
reputational HARM, AND OTHER Negative consequences
State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes.
Also If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for
the acts alleged. Explain the basis for these claims.

1. PUNITIVE DAMAGES | I WANT TO BE AWARDED \$50,000⁰⁰ for the
ADA violation X 3 For Pain AND Suffering
2. Renegotiate THE RIOT COP CONTRACT TO
\$150K pay me 1/3 of the Royalties, THAT I'M
minimum. OWED ON THE SONG "Anthfala" as Bass
player, to Be paid TO K. TY Poulson,
3. Apologies FROM THE LABEL manager
for the use of Hate speech, "crazy"
"crippled," "RETARD," "SHORT BUS" AND A
letter TO Explain why Disabled Lives matter
4. Sign "Delores Baker" ON PIG RECORDS
5. I WANT \$1.5 million FOR A contract
for the next ten years, TO PUT
out 10 more ALBUMS, Royalties paid to (435) 2102
executorial TRUST: Lynn Poulson

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 6-16-2021

Signature of Plaintiff

Printed Name of Plaintiff

K. T. Poulson
K. T. POULSON

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address

self represented

City

State

Zip Code